

<p>TABLE OF CONTENTS ARTICLE IX SIGNS</p>

9.01	Definitions.....	2
9.02	Sign Standards	6
9.03	Exempt Signs	7
9.04	Prohibited Signs	9
9.05	Sign Placement, Size, Height, Setback, Separation, Clearances and Construction by Sign Type.....	10
9.06	Nonconforming Signs	13

ARTICLE IX SIGNS

The purpose and intent of this Article is to recognize that signs serve a legitimate public service and that they complement and support trade, tourism and investment within Chowan County. These regulations are intended to establish standards which maximize the effectiveness of permitted signs while limiting visual distraction to motorists and preserving the land values and natural attractiveness of the area.

All signs except those specifically listed in [Section 9.03](#) shall be erected, installed, or modified only in accordance with a duly issued and valid sign permit issued by the Zoning Administrator. Sign permits shall be issued in accordance with the zoning permit requirements and procedures of [Section 3.09](#), and the submission requirements of [Appendix A](#). If plans submitted for a zoning, special use, or conditional use permit include sign plans in sufficient detail that the permit issuing authority can determine whether the proposed sign(s) comply with the provisions of this Article, then issuance of the requested zoning, special use, or conditional use permit shall constitute approval of the proposed sign(s). [Table 9-1](#) located at the end of [Section 9.05](#) summarizes the types of permissible signs by zoning district.

9.01 Definitions

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this Section should have the meaning indicated when used throughout this Article.

A. Sign

Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, or trade names or trademarks by which anything is known (including any surface, fabric or other material or structure designed to carry such devices such as are used to designate or attract attention to an individual, firm, an association, a corporation, a profession, a business, or a commodity or product) which are exposed to public view and used to attract attention.

B. Advertising Signs (Billboards or Outdoor Advertising Signs)

A sign which publicizes and directs attention to a business, profession, commodity, activity, product, service or entertainment not conducted, sold or offered upon the premises where such sign is located. Billboards located within 660 feet of interstate or federally assisted primary highways are subject to the standards and permitting requirements of the Outdoor Advertising Control Act which is administered by the North Carolina Department of Transportation.

C. **Animated Sign**

Any sign which flashes, revolves, rotates or swings by mechanical means, or which uses a change of lighting to depict action, or to create a special effect or scene.

D. **Banner**

A temporary sign of light weight fabric or similar material that is rigidly mounted to a pole or a building by a rigid frame at two or more edges. National, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

E. **Building Marker**

A sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface, or made of bronze or other permanent material.

F. **Canopy Sign**

Any sign which is a part of or attached to an awning, canopy or other fabric-like or plastic protective structure which is extended over a door, window, or entranceway. A marquee is not a canopy.

G. **Changeable Copy Sign**

Any sign on which copy is changed manually and copy is shown on the same sign face such as reader boards with changeable letters or changeable pictorial panels but not limited to the above. Poster panels and painted boards are not changeable copy signs.

H. **Commercial Message**

Any sign wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. This definition does not include company nameplates or logos on instructional signs.

I. **Construction Sign**

A sign on a construction site during the period of construction on which is printed or written the name of the owner, developer, contractor, architect, planner, engineer, or development title.

J. **Electronically Controlled Message Sign**

A sign on which the copy changes automatically on a lampbank, such that the message or display does not run continuously in the travel mode, and any message or display remains stationary for a minimum of two seconds. Any sign on which the message or display runs continuously in

the travel mode and/or on which any message or display does not remain stationary for a minimum two seconds shall be considered a flashing sign.

K. Flashing Sign

A type of animated sign which contains an intermittent, blinking, scintillating, or flashing light source, or which includes the illusion of intermittent or flashing light, or an externally mounted intermittent light source. An electronically controlled message sign is not a flashing sign.

L. Freestanding Sign

Any sign which is supported by structures or supports which are placed on, or anchored in the ground, and which structures or supports are independent from any building or other structure.

M. Governmental Sign

Any sign erected by or on behalf of a governmental body to post a legal notice, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.

N. Identification Sign

A permanent sign announcing the name of a subdivision, manufactured home park, campground/RV park, multifamily or townhouse development, planned unit development, church, school, park or quasi-public structure or facility, and uses permitted in A-1 and residential zoning districts.

O. Incidental Sign

A sign that provides only information for the convenience and necessity of the public. Company logos may be displayed on such signs but must not occupy more than 25% of the sign area. Incidental signs include directories, entrance, exit and other necessary directional signs.

P. Menu Sign

A permanent on-premises sign located at businesses that provide drive-up or drive-through services such as fast food restaurants, banks, laundries, etc. Menu signs shall be located so as not to create vehicle stacking problems which will interfere with the flow of traffic.

Q. Nonconforming Sign

Any sign that does not conform to size, height, location, design, construction, or other requirements of this Section. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

R. On-Premises Sign

A sign that publicizes and directs attention to a profession, commodity, activity, product, service or entertainment conducted, sold or offered upon the premises where such sign is located. On-premises signs include pole and ground mounted signs.

S. Portable Sign

A sign not permanently attached to any surface.

T. Professional or Occupational Sign or Name Plate

A sign that publicizes and directs attention to a home occupation, rural family occupation, or to a profession.

U. Projecting Sign

Any sign that is end mounted or otherwise attached to an exterior wall of a building that forms an angle with said wall.

V. Real Estate Sign

A sign that advertises the sale, rent, or lease of property.

W. Sign Area

The area of a sign shall be measured in conformance with the following:

1. The area of the face of a sign shall be calculated to include the outermost part that forms the shape or display. Necessary supports and trim moldings shall not be included when calculating the area of the sign. Aprons below advertising signs shall not exceed 3 feet in height. Aprons serve an aesthetic function and shall not be used for any purposes other than to identify, by name, the sign company responsible for the sign.
2. In computing the area of a sign, standard mathematical formulas for common regular geometric shapes (triangle, parallelogram, circle and ellipse, or combinations thereof) shall be used.
3. In the case of an irregularly shaped sign or a sign with letters and/or symbols affixed to or painted, displayed or incorporated into or upon a wall, canopy, awning or decorative facade of a building, the area of the sign shall be the area within the singular continuous perimeter, outlining the limits of the writing, representation, emblem, or any figure of similar character.
4. Back-to-back and V-type signs mounted so as to be connected and not spread more than 15 feet will be considered as one sign location when calculating horizontal separation between signs. Advertising signs (billboards) shall not be stacked, horizontally or vertically.

X. Sign Height

The vertical distance measured from the ground elevation where the sign is located, to the highest point of the sign except as follows: When the ground elevation is different from the elevation of an adjacent road, the height of a sign shall be measured from the road elevation of the adjacent road at the edge of the pavement.

Y. Temporary Signs

Temporary signs are those signs that relate to such events as elections, farm auctions, yard sales, agricultural products sales, annual charitable, civic or fraternal events, horse shows, festivals, bona fide grand openings and model home show openings.

Z. Wall Sign

A sign which is attached to a wall or facade of a building or canopy.

AA. Warning Sign

Any sign with no commercial message that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of 'high voltage', 'no trespassing', and similar directives.

9.02 Sign Standards

- A. All signs, except for those attached flat against the wall of a building, shall be constructed to withstand minimum wind loads as specified by the NC State Building Code. Sufficient documentation shall be submitted to the Zoning Administrator for review to assure that wind and stress requirements have been met prior to any permit being issued. Such documentation shall be signed and sealed by a registered North Carolina architect or engineer.
- B. All signs shall be installed and maintained in compliance with the North Carolina State Building Code and the National Electrical Code and shall have appropriate permits and inspections. Electrical signs and fixtures shall bear labels of a nationally accepted testing laboratory.
- C. All signs shall be maintained in a state of good repair and shall present a neat, well-kept appearance.
- D. All lights used for the illumination of a sign shall be shielded so that the light will not shine directly on surrounding areas or create a traffic hazard or distraction to operators of motor vehicles on the public thoroughfares. The Zoning Administrator is authorized to order a change in the illumination of any sign that becomes a hazard or a nuisance.

- E. No illuminated sign, other than professional or occupational signs or nameplates, on-premises signs, incidental signs, or identification signs shall be permitted within 100 feet of any residential zoning district. Illuminated signs other than those listed above which are located within 300 feet of a residence or residentially zoned district shall not be illuminated between the hours of 12 midnight and 6 a.m.
- F. The Zoning Administrator or designee shall have the authority to order the painting, repair, alteration or removal of a sign, at the expense of the owner of such sign, which shall constitute a hazard to safety, health or public welfare by reasons of inadequate maintenance, dilapidation or obsolescence. The existence of a sign or its support structure with no message display for a period of 90 days shall be justification to declare the sign abandoned and require its removal.
- G. Any sign erected without proper permits or in violation of this Section shall be brought into compliance within 30 days of notification by the Zoning Administrator or said sign shall be removed immediately.
- H. Any permitted sign projection over a public sidewalk shall be no lower than 8 feet above the level of the sidewalk nor lower than 14 feet above the level of a vehicular driveway. An encroachment agreement must be obtained from the North Carolina Department of Transportation.
- I. No sign or sign structure shall be erected, constructed, or maintained so as to interfere with vision clearance along any street or highway or at any intersection of two or more streets or highways. No sign shall be located within a sight distance triangle of 10 feet x 70 feet at the intersection of public roads nor within a sight distance triangle of 10 feet x 35 feet at a point where driveways and private road rights-of-way intersect with public and private road rights-of-way. No sign or sign structure may be located within a road or road right-of-way except as allowed over sidewalks in subsection H.

9.03 Exempt Signs

The following listed signs are subject to all placement and dimensional requirements of this Section and shall comply with the North Carolina Department of Transportation sight distance and road rights-of-way clearances. The following listed signs shall, however, be exempt from permit and fee requirements, except that any illuminated sign shall require an electrical permit. Exempt signs shall be maintained in good condition and shall not constitute a hazard to safety, health or public welfare. Exempt signs that are found to be in violation shall be ordered corrected or removed.

- A. Any sign 6 square feet or less in area.
- B. Any sign that is required by law or erected at the direction of a governmental agency.
- C. Signs erected to regulate traffic.

- D. Any warning signs; utility signs; signs for public use; and no trespassing, no hunting, or neighborhood watch signs shall contain no commercial message.
- E. Mailboxes, house numbers, nameplates, incidental signs, and building markers not exceeding 6 square feet in area.
- F. Religious symbols at a place of worship or at a church-owned or operated facility. Such symbols must meet all setbacks and lighting requirements for signs.
- G. In residential zoning districts, construction signs having a maximum area of 16 square feet and a maximum height of 6 feet and limited to one sign per construction site per street frontage. In nonresidential zoning districts, construction signs having a maximum area of 64 square feet and a maximum height of 10 feet and limited to one sign per construction site per street frontage. Exempt construction signs must be removed within 30 days following the completion of the project.
- H. Real estate signs having a maximum area of 6 square feet. Real estate signs are limited to one per site or one per 300 feet of road frontage.

Temporary real estate signs associated with the marketing of a subdivision shall be limited to one sign per subdivision entrance and 32 square feet in area and 8 feet in height. This type of sign must be set back a minimum of 2 feet from all exterior property lines of the subdivision and shall remain clear of the roadway sight distance easement. An additional directory-type sign of the same dimension, height and setback requirements may be located within the interior of a subdivision. Real estate signs must be removed within 30 days following completion of the project or transaction.
- I. Works of art with no commercial message.
- J. Lights and decorations with no commercial message temporarily displayed on traditionally adopted civic, patriotic or religious holidays.
- K. Hand-carried signs.
- L. Signs located on the interior of buildings, courts, lobbies, stadiums, or other structures that are not intended to be seen from the exterior of such structures.
- M. Flags of the United States, State of North Carolina, local governmental jurisdictions, foreign nations, and any other flags adopted or sanctioned by the County.
- N. Signs affixed to vehicles and trailers used in the normal transport of goods or persons where the sign is incidental and accessory to the primary use of the vehicle or trailer.

- O. Flags, emblems or insignia of corporate, political, professional, fraternal, civic, religious, or educational organizations.
- P. Historical or memorial plaques, tablets, or markers.
- Q. Signs painted or attached to vending machines, gas pumps, ice machines, or similar devices which indicate the contents of the machine, name or logo of supplier, the price or operating instructions.
- R. Window signs painted on the inside of a window.
- S. Changing copy of existing sign(s) without enlarging; however, a drawing of the new sign face must be submitted to the Zoning Administrator prior to changing the sign face.
- T. Banners on or across public road rights-of-way that are expressly approved by the North Carolina Department of Transportation.
- U. All other temporary signs not specified elsewhere in this Section shall not be placed on the premises more than 30 days prior to the temporary event and must be removed within 10 days following the temporary event. Such signs are limited to 16 square feet in area and 4 feet maximum height.

9.04 Prohibited Signs

The following signs shall not be permitted, erected or maintained within the Chowan County planning and zoning jurisdiction.

- A. Signs with moving, revolving or rotating parts, optical illusions or movement or mechanical movements by any description or other apparent movement achieved by electrical, electronic or mechanical means, except for time, temperature, date signs; traditional barber poles; and electronically controlled message signs.
- B. Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, except for: time, temperature, date signs; traditional barber poles; and electronically controlled message signs.
- C. Strings of light bulbs used in connection with commercial premises for commercial purposes other than traditional holiday decorations.
- D. Portable signs, including signs painted on or displayed on vehicles or trailers used to serve primarily as a sign, except that portable signs used as temporary signs as defined in [Section 9.01, Y.](#) and in compliance with [Section 9.03, U.](#) are permitted.
- E. Signs erected, maintained, painted or drawn on any tree, rock or other natural feature.

- F. Signs that extend vertically above the highest portion of the roof of any structure.
- G. Outdoor advertising (billboards) located within Highway Corridor Overlay (HCO) Districts.

9.05 Sign Placement, Size, Height, Setback, Separation, Clearances and Construction by Sign Type

A. Outdoor Advertising Signs (Billboards)

1. Permissible Zoning Districts: B-1 and I-2.
2. Maximum height: 30 feet. (In the event that unique topographic conditions exist on a site which render the 30-foot maximum height requirement impracticable, the Zoning Administrator may authorize a sign height not to exceed a maximum height of 40 feet.)
3. Minimum separation from another billboard: 500 feet measured along the same side of the road and 100 feet radius along an intersecting or adjacent road.
4. Billboards shall maintain a minimum separation of 150 feet from any residence as measured along the road beginning at a point projected perpendicular from the near side of an existing residence to the road right-of-way and 150 feet from any residential zoning district boundary.
5. Maximum sign size:
 - (a) 320 square feet in area adjacent to roads with four or more lanes and 200 square feet in area adjacent to roads with less than four lanes.
 - (b) Top outs and side outs are permitted in addition to the above sign area dimensions. Top outs and side outs shall be confined to the immediate plane of the sign and may extend above and/or to the side of the sign face a maximum of two feet. Top outs and side outs shall not exceed a total of 32 square feet in area.
6. Minimum setback: Billboards shall be located a minimum of 10 feet from the edge of a road right-of-way.
7. Minimum separation from utility lines shall be in compliance with the requirements of the utility provider having jurisdiction.
8. All structures, blank surfaces, backs and supports shall be uniformly painted in a neutral finish when exposed to any road and shall be maintained in good repair.

9. Minimum requirements contained within the North Carolina Outdoor Advertising Control Act (North Carolina General Statute 136-126 et seq.) which are more stringent or in addition to those contained in this Section shall apply.
10. Billboards are not permitted within Highway Corridor Overlay Districts.

B. On-Premises Signs (freestanding pole or ground mounted on-premises signs unless otherwise specified)

1. Permissible Zoning Districts: A-1, B-1, B-2, B-3, I-1, and I-2.
2. Maximum height:
 - (a) In Highway Corridor Overlay Districts (HCO): Limited to ground mounted signs 4 feet in height.
 - (b) In Neighborhood Commercial Districts (B-3): 12 feet.
 - (c) In Agricultural Districts: 12 feet.
 - (d) In B-1, B-2, I-1, and I-2 zoning districts: 20 feet.
3. Maximum sign area:
 - (a) In Highway Corridor Overlay (HCO) zoning districts: 32 square feet per side or 64 square feet total.
 - (b) In Agriculture (A-1) and Neighborhood Commercial (B-3) zoning districts: 2 square feet of sign area per linear foot of building wall adjoining a road or 200 square feet, whichever is less.
 - (c) In B-1, B-2, I-1, and I-2 zoning districts: 3 square feet of sign area per linear foot of building wall adjoining a road or 300 square feet, whichever is less.
 - (d) The minimum guaranteed freestanding on-premises sign area at any individual parcel is 24 square feet.
4. Maximum number of freestanding or ground mounted on-premises signs per parcel: 1 sign per adjoining public road frontage.
5. Minimum separation from rights-of-way, property lines and structures: 10 feet.
6. Minimum separation from utility lines shall be in compliance with the requirements of the utility having jurisdiction.

7. No unfinished surfaces or structures shall be exposed on on-premises signs.

C. Wall Signs (including canopy, awning and building facade signs)

1. Permissible Zoning Districts: A-1, B-1, B-2, B-3, I-1, and I-2.
2. Maximum area: 1 square foot of sign area per linear foot of building, canopy or awning per building side. Sign footage permitted per building side may not be used on other than that building side (no transfers or cumulative totals).
3. Minimum guaranteed wall signage area at any individual premises is 32 square feet.
4. The maximum projection of a wall sign shall not exceed 18 inches.
5. The height of a wall sign shall not exceed the height of the building or canopy facade.

D. Professional or Occupational Name Plates and Incidental Signs

1. Permissible Zoning Districts: All zoning districts.
2. Maximum sign area: 12 square feet.
3. Maximum height: 30 inches if ground mounted, signs in this category may also be mounted against the structure.
4. Minimum setback from all property lines: 2 feet.
5. Maximum number of signs per business establishment: 1.

E. Identification Signs

1. Permissible Zoning Districts: All zoning districts.
2. Maximum sign area: 32 square feet.
3. Maximum height: 8 feet.
4. Minimum setback: 10 feet from all property lines, except as authorized in subsection 4.
5. Ground signs with the name of the residential or nonresidential subdivision or development may be located within a public road right-of-way on one side of the roadway entrance or in the roadway median provided that an encroachment agreement is obtained from the North Carolina Department of Transportation and the sign does not exceed 42 inches in height.

6. Maximum number of signs per entrance or premises: 1.

F. Menu Signs

1. Permissible Zoning Districts: A-1, B-1, B-2, B-3, I-1, and I-2.
2. Maximum sign area: 45 square feet.
3. Maximum height if ground mounted: 8 feet.
4. Minimum setback from all property lines: 10 feet.
5. Maximum number of signs per business establishment: 1.

Table 9-1 Table of Permitted Signs by Type of Sign

Sign Type	R5	R15	R25	RMH25	R5	R40	A1	B1	B2	B3	I1	I2
Advertising Signs (Billboards)*								X				X
On-Premises							X	X	X	X	X	X
Wall Sign							X	X	X	X	X	X
Professional or Occupational Nameplate, Incidental	X	X	X	X	X	X	X	X	X	X	X	X
Identification	X	X	X	X	X	X	X	X	X	X	X	X
Menu							X	X	X	X	X	X
Construction	X	X	X	X	X	X	X	X	X	X	X	X
Real Estate	X	X	X	X	X	X	X	X	X	X	X	X
Temporary	X	X	X	X	X	X	X	X	X	X	X	X
Exempt	X	X	X	X	X	X	X	X	X	X	X	X

Notes: X = Indicates sign is permitted.

Blank = Indicates sign is not permitted.

* Advertising signs are not permitted in Highway Corridor Overlay Districts. Advertising signs shall also comply with the permit procedures and standards contained in [Section 9.05 \(A\)](#) and the current edition of the North Carolina Department of Transportation outdoor advertising manual.

9.06 Nonconforming Signs

It is the intent of this Article to permit signs that were lawful before the effective date of this Ordinance to remain in service. Specific provisions regarding nonconforming signs are delineated in [Section 12.07](#).